

PHILIP P. THOMAS, ESQUIRE, GOVERNOR.  
 1847.  
 CHAP. 34.  
 In case of neglect.

Jury to be summoned.

Notice to be given to said company.

Justices to deliver a copy of inquisition to company, also deliver a copy to county court.

Penalty.

Court may order gate to be opened.

dred and twenty-one, chapter one hundred and thirty-one, shall neglect to keep its road in good travelling order and repair for the space of fifteen days consecutively, and information thereof, in writing, shall be given by three or more persons to any two justices of the peace of the neighborhood, where the repair or repairs ought to be made, such justices shall issue a precept to the sheriff of the county, commanding him to summon twelve disinterested persons, qualified to serve as jurors in the county court, to meet at a certain time in said precept mentioned, at the place or places in the road which shall be complained of, three days notice of the time and place of which meeting shall be given, in writing, by the said sheriff to the president or secretary of said company, and the said justices at such time and place, on the oath or affirmation of said persons, or of any nine of them, shall inquire whether or not the said road, or any part of the paved bed thereof, be in good travelling order and repair, and shall cause an inquisition thereof to be made and certified under the hands of themselves, and of any seven of said persons; and if the said turnpike road or any part of the bed thereof, shall be found by said inquisition to be out of good travelling order and repair in the place or places complained of, the said justices shall send or deliver a copy of the inquisition aforesaid, to the president or secretary of said company, and send a copy of the same to the judges of the county court; and if the said road shall not be put in good travelling order and repair within fifteen days after the delivery of said copies, the said county court shall issue an attachment against the president of said road, and the said court upon proof of such neglect, shall fine the said president, managers and company, in their discretion, not exceeding two hundred dollars, for the use of the county wherein such inquisition was held, which fine shall not release said company from repairing said road, or from the liability of having similar inquisitions held, and a further fine imposed as aforesaid, until the said road shall be put in good travelling order and repair; and the said county court at the end of said fifteen days may, in their discretion, order the gate of said company nearest said defect in said road to be thrown open and kept open till the said road is repaired as aforesaid, and if said court shall not be in session at the end of said fifteen days, the high sheriff of the county may cause said gate to be opened and kept open as aforesaid, for the cause aforesaid, until the said road shall be repaired, or until the meeting of said court; and